

Application No.: 10/041,613
Art Unit 2834

Attorney Docket No. 0630-1403P
Amendment filed November 10, 2003
Page 14

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application.

Claims 12-13, 15-35 and 37-43 are present in this application. Claims 12, 29 and 37 are independent. Claims 12, 13, 18-20, 22-25, 27, 29 and 31 and 37 have been amended.

Reconsideration of this application, as amended, is respectfully requested.

Drawings

Applicants appreciate the Examiner's indication that the proposed drawing correction filed on October 8, 2003 has been approved. A corrected formal drawing replacing Fig. 10 is attached hereto.

Claim Objections

The Examiner has objected to claims 12, 13 and 15-28 because there is no antecedent basis for "the first separate space" and "the second separate space" in claims 12 and 13. In order to overcome this objection, Applicants have amended claims 12 and 13 and their dependent claims in order to correct

Application No.: 10/041,613
Art Unit 2834

Attorney Docket No. 0630-1403P
Amendment filed November 10, 2003
Page 15

the deficiencies pointed out by the Examiner. Reconsideration and withdrawal of this objection are respectfully requested.

Rejection Under 35 U.S.C. § 112, 1st Paragraph

Claims 29-35 stand rejected under 35 U.S.C. § 112, 1st Paragraph. This rejection is respectfully traversed.

The Examiner states that the original specification does not contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention, as recited in claims 29-35.

In order to overcome this rejection, Applicants have amended claim 29 to recite wherein one end of the first rotor receiving part near the first separate space and an opposite end of the second rotor receiving part near the second separate space are offset from a vertical center line of the motor, respectively. Support for this amendment can be seen on page 11 of the specification and in Fig. 10.

Applicants respectfully submit that claim 29, as amended, is fully supported by and adequately described in the written description of the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Application No.: 10/041,613
Art Unit 2834

Attorney Docket No. 0630-1403P
Amendment filed November 10, 2003
Page 16

Rejection Under 35 U.S.C. § 102

Claim 29 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Hayashi. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claim 29 has been amended to recite a combination of elements in a skeleton type brushless motor, including one end of the first rotor receiving part near the first separate space and an opposite end of the second rotor receiving part near the second separate space offset from a vertical center line of the motor, respectively.

Applicants respectfully submit that this combination of elements as set forth in independent claim 29 is not disclosed or made obvious by the prior art of record, including Hayashi.

The Examiner states that Hayashi teaches that the first gap and the second gap are formed to face each other along a vertical center-line of the first and second stator core (see Fig. 2 of Hayashi). The Applicants agree that a

Application No.: 10/041,613
Art Unit 2834

Attorney Docket No. 0630-1403P
Amendment filed November 10, 2003
Page 17

vertical center-line could be interposed between the gaps "a" and "b" of the first and stator core of Hayashi.

However, at the outset, Applicants note that no vertical center-line is shown in the Figures of Hayashi, and neither is such a vertical center-line discussed in the disclosure. Further, if a vertical center-line were drawn between the stator cores as shown, the dissection shown thereby would be symmetrical, and therefore, no offset between the vertical center-line and the rotor receiving parts could be observed (or obtained). Without this feature Hayashi cannot provide an increase in the output of the motor.

In view of the above discussion, and the claim amendment as provided, Hayashi fails to teach one end of the first rotor receiving part near the first separate space and an opposite end of the second rotor receiving part near the second separate space offset from a vertical center line of the motor, respectively, as recited in independent claim 29 (as amended). Reconsideration and withdrawal of this art grounds of rejection is respectfully requested.

Application No.: 10/041,613
Art Unit 2834

Attorney Docket No. 0630-1403P
Amendment filed November 10, 2003
Page 18

Rejections under 35 U.S.C. § 103

Claims 30, 31 and 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi, in view of Church et al. Further, claims 33 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi in view of Erdman et al. Claim 35 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi in view of Ackermann et al. Claim 39 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi and Church et al. and further in view of Jeske. Claims 40-42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi in view of Church et al. and further in view of Erdman et al. Claim 43 stands rejected under 35 U.S.C. § 103(a) as being patentable over Hayashi in view of Church et al. and further in view of Ackermann et al. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

Claims 30-35 (argued above with respect to Hayashi) depend, either directly or indirectly on independent claim 29 and therefore are patentable for at least the reasons stated with respect to independent claim 29. Reconsideration and withdrawal of the art grounds of rejection with respect to claims 30-35 is respectfully requested.

With regard to independent claim 37, the Examiner admits that Hayashi fails to teach or suggest a pair of nonconductive separation members, said

Application No.: 10/041,613
Art Unit 2834

Attorney Docket No. 0630-1403P
Amendment filed November 10, 2003
Page 19

separation members being inserted between the stator cores and respective ones of the shaft support parts and receiving a part of the rotor protruded from the stator cores. The Examiner relies on Church to supply the deficiency of Hayashi. Applicants respectfully submit that the mounting plates 32 of Church cannot supply the deficiency of Hayashi.

In particular, Church discloses reservoirs, each made up of a cover, and a mounting and closing plate or member 32 that has a centrally located bearing admitting aperture 33 formed therein. The mounting plates 32 are provided with a plurality of hooking or latching members 34 that are each accommodated by a slot 36 in an end frame. The end frames are disposed between the plates 32 and a respective stator, and therefore the mounting plates 32 make no contact with the stator because of the end frames disposed therebetween (see Fig. 2 of Church). While the mounting plates 32 have protruding portions that insert into the slot 36, the protruding portions do not make contact with a stator (see Fig. 1 of Church). Therefore Church cannot supply the deficiency of Hayashi.

Particularly, neither Hayashi, nor Church teaches or suggests a skeleton type brushless motor, including a pair of nonconductive separation members, said separation members being inserted between and contacting the stator cores and respective ones of the shaft support parts and receiving a part of the rotor protruded from the stator cores, as recited in independent claim 37 (as amended).

Application No.: 10/041,613
Art Unit 2834

Attorney Docket No. 0630-1403P
Amendment filed November 10, 2003
Page 20

Claims 38-43 depend, either directly or indirectly on independent claim 37. Since neither Hayashi, nor Church teaches or suggests the above-recited features of independent claim 37, neither Hayashi, in view of Church, nor any of the above-recited combinations can render claims 37-43 obvious to one of ordinary skill in the art. Reconsideration and withdrawal of these art grounds of rejection is respectfully requested.

Allowable Subject Matter

The Examiner states that claims 12, 13, and 15-28 would be allowable if rewritten or amended to overcome the objection.

Applicants thank the Examiner for the early indication of allowable subject matter in this application. Claims 12, 13, and 15-28 have been amended as set forth above in order to overcome the objection, and therefore are believed to be placed into condition for allowance. Allowance thereof is respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the

Application No.: 10/041,613
Art Unit 2834

Attorney Docket No. 0630-1403P
Amendment filed November 10, 2003
Page 21

outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone James T. Eller, Jr., Registration No. 39,538, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

Applicants respectfully petition under the provisions of 37 C.F.R. § 1.136(a) and § 1.17 for a one-month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of \$110.00 is to be charged to Deposit Account No. 02-2448.

Application No.: 10/041,613
Art Unit 2834

Attorney Docket No. 0630-1403P
Amendment filed November 10, 2003
Page 22

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By: 

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Attachment: Replacement Drawing Sheet

Certificate of Transmission
I hereby Certify that this correspondence is being
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On

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Typed or printed name of person signing certificate